

REMARKS

The office action of October 13, 2006, has been carefully considered.

It is noted that claims 1, 6 and 7 are objected to for containing various informalities.

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1-5 are rejected under 35 U.S.C. 102(b) over the patent to David.

Finally, it is noted that claims 6-8 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph.

In view of the Examiner's objection to and rejections of the claims, applicant has amended claims 1-8.

Applicant has amended the claims to address the informalities pointed out by the Examiner. With these changes it is respectfully

HM-390

submitted that the objection to claims 1, 6 and 7 for containing informalities is overcome and should be withdrawn.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 1-8 under 35 U.S.C. 112 second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims now on file differ essentially and in an unobvious, highly advantageous manner from the methods and constructions disclosed in the reference. Applicant has amended the claims to more clearly point out the invention.

Turning now to the reference, it can be seen that the patent to David discloses slitting and creasing machines, particularly those used in the corrugated board industry. The invention of David uses shears for longitudinally slitting a strip. This means

HM-390

that the shears are always operative as long as the strip passes through the machine. The shears are only moved out of the production line for changing the blade or cross cutting the strip.

In the presently claimed invention exactly the opposite takes place. In the present invention the shears are only introduced into the line when the strip needs to be separated transversely. The present invention only cross-cuts and does not cut the strip longitudinally. Furthermore, after making a cut the shears move back into a waiting position until another cut is needed. Such a movement of the shears into and out of the rolling line is not disclosed by David. Thus, David does not disclose the present invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1-5 under 35 U.S.C. 102(b) over the above discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and



HM-390

Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By

Klaus P. Stoffel

Reg. No. 31,668

For: Friedrich Kueffner

Reg. No. 29,482

317 Madison Avenue, Suite 910

New York, New York 10017

(212) 986-3114

Dated: January 16, 2007

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on January 16, 2007.

By:

Klaus P. Stoffel

Date: January 16, 2007